

10/549965

JC17 Rec'd PCT/PTO 16 SEP 2005

Rev 9/04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : SOLOMON R. EISENBERG ET AL.
Filed : HERewith
For : MAGNETIC STIMULATOR
Attorney's Docket : BU-118XX

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450 on _____.

By: _____

Registration No. _____
Attorney for Applicant(s) _____

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believes that
no fee or statement under 37 C.F.R. § 1.97(e) is required.

10/549965

Attorney Docket No.: BU-118XX

Filed: HERewith

JC17 Rec'd PCT/PTO 16 SEP 2005

- [] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- [] a statement under 37 CFR § 1.97(e); or
 - [] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- [] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- [] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10/549965

Attorney Docket No.: BU-118XX

Filed: HERewith

JC17 Rec'd PCT/PTO 16 SEP 2005

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The art was cited in PCT International Search Report (copy enclosed) mailed September 17, 2004 in International Application No. PCT/US04/08007 filed March 16, 2004. Copies of the art have been transmitted by the International Bureau.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

SOLOMON R. EISENBERG ET AL.

By: 

Charles L. Gagnebin III

Registration No. 25,467

Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,

GAGNEBIN & LEBOVICI LLP

Ten Post Office Square

Boston, Massachusetts 02109

Telephone: (617) 542-2290

Telecopier: (617) 451-0313

Date: 9-16-5

CLG/dkh/326672

Enclosure

- 3 -

Date: September 16, 2005

Page 1 of 1

JC17 Rec'd PCT/PTO 16 SEP 2005

(REV. 05/03) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. BU-118XX	APPLICATION NO. 10/549965
	APPLICANT: Solomon R. Eisenberg et al.	
	FILING DATE HEREWITH	TC ART UNIT

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US 5,738,625*	4/14/98	Gluck	600	9	
	US 6,402,678*	6/11/02	Fischell et al.	600	13	
	US 5,441,495*	8/15/95	Liboff et al.	600	9	
	US					
	US					
	US					
	US					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Cited Art was transmitted by the International Bureau in Application No. PCT/US04/08007 filed March 16, 2004.

326674